

**VETERINARY MEDICINE BOARD[811]**

**Adopted and Filed**

**Rule making related to veterinarian/client/patient relationships**

The Board of Veterinary Medicine hereby amends Chapter 12, “Standards of Practice,” Iowa Administrative Code.

*Legal Authority for Rule Making*

This rule making is adopted under the authority provided in Iowa Code section 169.5.

*State or Federal Law Implemented*

This rule making implements, in whole or in part, Iowa Code section 169.5.

*Purpose and Summary*

Currently, a veterinarian/client/patient relationship (VCPR) is established when three criteria are met. This amendment revises one of these criteria by requiring that in order to maintain a VCPR, a veterinarian must have performed a physical examination of the patient within the previous 12 months or have visited the site where the patient is kept within the previous 12 months.

*Public Comment and Changes to Rule Making*

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on August 11, 2021, as **ARC 5848C**. A public hearing was held on September 1, 2021, at 10 a.m. in the Second Floor Board Room, Wallace State Office Building, 502 East 9th Street, Des Moines, Iowa. One person attended the public hearing and expressed concern that the proposed rule making could impact livestock facilities that house many animals or have frequent and consistent farm movement.

The Board received several other comments regarding this rule making. Many of the commenters were concerned that the amendment would prohibit telemedicine or make utilizing telemedicine more difficult. This rule making does not negatively impact telemedicine. Telemedicine can continue to be utilized, as long as the veterinarian continues to maintain a VCPR with the patient by adhering to the new timeline that the rule addresses.

Another comment received sought clarification on how the Board would interpret and enforce some of the provisions in the amended rule and expressed concern that requiring physical examinations could impact biosecurity measures.

Some minor nonsubstantive changes from the Notice have been made to provide additional clarity and address public feedback. The content of the rule remains the same.

*Adoption of Rule Making*

This rule making was adopted by the Board on December 30, 2021.

*Fiscal Impact*

This rule making has no fiscal impact to the State of Iowa.

*Jobs Impact*

After analysis and review of this rule making, no impact on jobs has been found.

*Waivers*

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Board for a waiver of the discretionary provisions, if any, pursuant to 811—Chapter 14.

*Review by Administrative Rules Review Committee*

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

*Effective Date*

This rule making will become effective on April 1, 2022.

The following rule-making action is adopted:

Amend paragraph **12.1(1)“b”** as follows:

*b.* The licensed veterinarian has sufficient knowledge of the patient to initiate at least a general or preliminary diagnosis of the medical condition of the patient. Sufficient knowledge means that the licensed veterinarian has recently seen or is personally acquainted with the care of the patient by virtue of ~~an~~ a physical examination of the patient within the past 12 months or ~~by medically appropriate and timely visits~~ a visit to the premises where the patient is kept within the past 12 months; and

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EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 2/9/22.